

## Department of Veterans Affairs

## §21.8010

### §21.7803 Revision of decisions.

The revision of a decision on which an action was predicated is subject to the following sections:

- (a) Clear and unmistakable error, §3.105(a) of this chapter; and
- (b) Difference of opinion, §3.105(b) of this chapter.

(Authority: 38 U.S.C. 511)

### §21.7805 Conflicting interests.

In administering benefits payable under 10 U.S.C. chapter 1606, VA will apply the provisions of §21.4005 in the same manner as they are applied in the administration of 38 U.S.C. chapters 34 and 36.

(Authority: 10 U.S.C. 16136(b), 38 U.S.C. 3683; Pub. L. 98-525)

[53 FR 34740, Sept. 8, 1988, as amended at 61 FR 20729, May 8, 1996; 61 FR 29483, June 11, 1996]

### §21.7807 Examination of records.

In administering benefits payable under 10 U.S.C. chapter 1606, VA will apply the provisions of §21.4209 in the same manner as they are applied in the administration of 38 U.S.C. chapters 34 and 36.

(Authority: 10 U.S.C. 16136(b), 38 U.S.C. 3690; Pub. L. 98-525)

[53 FR 34740, Sept. 8, 1988, as amended at 61 FR 20729, May 8, 1996]

## Subpart M—Vocational Training and Rehabilitation for Certain Children of Vietnam Veterans—Spina Bifida and Covered Birth Defects

AUTHORITY: 38 U.S.C. 101, 501, 512, 1151 note, ch. 18, 5112, and as noted in specific sections.

SOURCE: 67 FR 72565, Dec. 6, 2002, unless otherwise noted.

### GENERAL

### §21.8010 Definitions and abbreviations.

- (a) *Program-specific definitions and abbreviations.* For the purposes of this subpart:

*Covered birth defect* means the same as defined at §3.815(c)(3) of this title.

*Eligible child* means, as appropriate, either an *individual* as defined at §3.814(c)(2) of this title who suffers from spina bifida, or an *individual* as defined at §3.815(c)(2) of this title who has a covered birth defect other than a birth defect described in §3.815(a)(2).

*Employment assistance* means employment counseling, placement and post-placement services, and personal and work adjustment training.

*Institution of higher education* has the same meaning that §21.4200 provides for the term *institution of higher learning*.

*Program of employment services* means the services an eligible child may receive if the child's entire program consists only of employment assistance.

*Program participant* means an eligible child who, following an evaluation in which VA finds the child's achievement of a vocational goal is reasonably feasible, elects to participate in a vocational training program under this subpart.

*Spina bifida* means the same as defined at §3.814(c)(3) of this title.

*Vietnam veteran* means, in the case of a child suffering from spina bifida, the same as defined at §3.814(c)(1) or §3.815(c)(1) of this title and, in the case of a child with a covered birth defect, the same as defined at §3.815(c)(1) of this title.

*Vocational training program* means the vocationally oriented training services, and assistance, including placement and post-placement services, and personal and work-adjustment training that VA finds necessary to enable an eligible child to prepare for and participate in vocational training or employment. A vocational training program may include a program of education offered by an institution of higher education only if the program is predominantly vocational in content.

*VR&E* refers to the Vocational Rehabilitation and Employment activity (usually a division) in a Veterans Benefits Administration regional office, the staff members of that activity in the regional office or in outbased locations, and the services that activity provides.

(Authority: 38 U.S.C. 101, 1802, 1804, 1811-1812, 1814, 1821)